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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/689,131

10/20/2003

Armando J. Rivera

D/A3421

2782

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02/11/2005

PATENT DOCUMENTATION CENTER

XEROX CORPORATION

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ROCHESTER, NY 14644

EXAMINER

BRASE, SANDRA L

ART UNIT

PAPER NUMBER

2852

DATE MAILED: 02/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

**Office Action Summary****Application No.**

10/689,131

**Applicant(s)**

RIVERA ET AL.

**Examiner**

Sandra L. Brase

**Art Unit**

2852

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-16 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/20/03</u> . | 6) <input type="checkbox"/> Other: ____.  |

***Quayle Action***

1. This application is in condition for allowance except for the following formal matters.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "12" has been used to designate both support bars and rollers and a direction; reference character "46" has been used to designate both an exposure device and an area inside of a developer housing; and reference character "76" has been used to designate a roller and an area inside of a developer housing. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 132; 172; and 302. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 74; 76; and 80. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

5. The disclosure is objected to because of the following informalities.

Appropriate correction is required.

On line 3 of page 1, the U.S. Patent Application Serial No. must be filled in, where this serial no. should be "10/689,223".

On line 24 of page 4, "118,120" should be changed to "118 and 120".

On lines 6, 17, 18, 20, 22, 24 and 25 of page 9; on lines 1, 2, 4, 6, 11, 12, 14, 16, 17, 19, 20, 22, 24, 27 and 28 of page 10; and on lines 5, 6, 9, 12, 14 and 24 of page 11; "176, 178" should be changed to "176 and 178".

On lines 11, 13, 14, 16-17, 19, 21, 22-23, 25 and 27 of page 10; and on lines 1, 7 and 9 of page 11; "186,188" should be changed to "186 and 188".

On line 13 of page 12, "a climate system 410" should be changed to "a climate system".

On line 6 of page 14, "hose 410" should be changed to "cooling channel 410".

***Claim Objections***

6. Claims 3, 11 and 15 are objected to because of the following informalities. Appropriate correction is required.

On line 4 of claim 3; and on line 4 of claim 11; "base" should be changed to "based".

On line 2 of claim 15; "is" should be changed to "in".

***Allowable Subject Matter***

7. Claims 1-16 are allowed.

8. The following is an examiner's statement of reasons for allowance.

The primary reasons for allowance is the climate system, associated with the claimed reservoir, for maintaining the supply of the developer material at a predefined temperature, the climate system includes a cooling element for supplying air to the developer material mixing and transport area, and a heating element positioned in the developer material mixing and transport area, the heating element includes a first heat unit associated with heating an inboard area of the developer material mixing and transport area and a second heat unit associated with heating an outboard area of the of the developer material mixing and transport area. The above limitations are contained in all of the claims, but are not taught or suggested by the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Prior Art***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lofftus et al. (US 5,701,550) and Parker (US 5,890,033) disclose a heating device for heating a developer unit.

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Robinson et al. (US 4,570,572), De Cock et al. (US 5,481,339), Kawabata (US 5,530,523), Knott et al. (US 6,185,382), Kakimoto (US 6,377,769), Nukada (US 6,400,915), Izumi et al. (US 6,473,573), Hoffman et al. (US 6,771,916) and Tsukamoto et al. (US 6,785,490) disclose a cooling system.

***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sandra L. Brase whose telephone number is 571-272-2131. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur T. Grimley, can be reached on 571-272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sandra L. Brase  
Primary Examiner  
Art Unit 2852

February 4, 2005